

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

Leonard “Bo” Moore, D-6,

Defendant.

Case No. 06-20465

Honorable Nancy G. Edmunds

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ORDER DENYING MOTION FOR REDUCTION IN SENTENCE [3135]

Defendant Leonard Moore is currently in the custody of the Federal Bureau of Prisons (“BOP”). In February 2020, Defendant filed a motion for a sentence modification pursuant to 18 U.S.C. § 3582(c). (ECF No. 3005.) This Court denied the motion in May 2020, explaining that the sentence of 204 months imposed remained the appropriate sentence given the circumstances of Defendant’s offenses. (ECF No. 3012.) The following year, on August 18, 2021, Defendant again moved for a reduction in his sentence pursuant to 18 U.S.C. § 3582(c)(1)(A). (ECF No. 3101.) This Court denied Defendant’s motion on December 7, 2021. (ECF No. 3118.) Because the Court found that Defendant had not presented extraordinary and compelling reasons to warrant a sentence reduction, it did not reach an analysis of the § 3553(a) factors. *Id.* (citing *United States v. Elias*, 984 F.3d 516, 519 (6th Cir. 2021)). Defendant moved for reconsideration of that Order and the Court denied the motion. (ECF Nos. 3118, 3133.) Thirty-four days later, Defendant filed the present motion, his third motion filed pursuant to § 3582(c)(1)(A). (ECF No. 3135.)

The Court denies the present motion. As it stated in its May 2020 order denying Defendant's first § 3582(c) motion, the 204-month sentence imposed remains the appropriate sentence given the circumstances of Defendant's offense. The § 3553(a) factors therefore do not support compassionate release, or a sentence modification of any kind. The Court declines to provide an analysis of Defendant's purported extraordinary and compelling reasons for release, *see Elias*, 984 F.3d at 519 ("district courts may deny compassionate-release motions when any of the three prerequisites listed in § 3582(c)(1)(A) is lacking and do not need to address the others"), although it is confident that Defendant would be unable to meet his burden on this prerequisite as well, given the Sixth Circuit's more recent decisions regarding compassionate release. *See, e.g., United States v. Hunter*, 12 F.4th 555, 562 (6th Cir. 2021); *United States v. Lemons*, 15 F.4th 747, 751 (6th Cir. 2021).

Defendant's motion for reduction in sentence (ECF No. 3135) is DENIED.

SO ORDERED.

s/ Nancy G. Edmunds
Nancy G. Edmunds
United States District Court Judge

Dated: October 3, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 3, 2022, by electronic and/or ordinary mail.

s/ Lisa Bartlett
Case Manager